

VZCZCXRO3829
PP RUEHHM
DE RUEHPF #0710/01 1431124
ZNY CCCCC ZZH
P 231124Z MAY 07
FM AMEMBASSY PHNOM PENH
TO RUEHC/SECSTATE WASHDC PRIORITY 8462
INFO RUEHBK/AMEMBASSY BANGKOK 2277
RUEHHI/AMEMBASSY HANOI 4008
RUEHHM/AMCONSUL HO CHI MINH 0096
RUEHGV/USMISSION GENEVA 1597

C O N F I D E N T I A L SECTION 01 OF 02 PHNOM PENH 000710

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DEPARTMENT FOR PRM, EAP/MLS, G/TIP AND EAP/RSP
BANGKOK FOR REFUGEE COORDINATOR

E.O. 12958: DECL: 05/22/2017

TAGS: [PGOV](#) [PHUM](#) [PREL](#) [CB](#) [KWMN](#)

SUBJECT: AMBASSADOR PRODS DPM ON TIP, MONTAGNARDS, MISSING
VN DISSIDENT

Classified By: A/DCM Margaret McKean; Reason 1.4 (b) (d)

¶1. (C) Summary: On May 17, the Ambassador met with Deputy Prime Minister and Minister of Interior Sar Kheng to discuss Trafficking in Persons (TIP), Montagnards in Cambodia, and a missing Vietnamese dissident. The Ambassador stressed the necessity for Cambodia to upgrade from the Tier 2 Watch List to Tier 2 through real improvements in the TIP situation, including increased focus on TIP problem regions outside of Phnom Penh and a just punishment for the appellate court judges who released the Chhay Hour II perpetrators. On the issue of RGC delays in approving UNHCR requests to access Montagnard groups crossing to Cambodia, the Ambassador urged the DPM to consider streamlining the process to one of simple notification by UNHCR to the government. Finally, he requested the DPM investigate the recent disappearance of Vietnamese political dissident, Le Tri Tue, from his lodging in Cambodia. The DPM expressed his support in principle for each of these initiatives but offered no commitments. End Summary.

TIP - BEYOND TIER 2 WATCHLIST?

¶2. (C) On May 17, the Ambassador met with DPM Sar Kheng on TIP issues in Cambodia, urging that Cambodia not remain satisfied with Tier 2 Watchlist status. While lauding past RGC activity to move off Tier 3, he explained that Cambodia needs to work harder to attain the Tier 2 level. In particular, he recommended stronger RGC and police commitment in areas outside of Phnom Penh, such as Sihanoukville, that still host troublesome TIP problems. He also pushed for the appellate court judges who released the Chhay Hour II perpetrators to be suitably punished beyond a slap on the wrist for a crime considered such an egregious undermining of Cambodia's struggling judicial system. The DPM stated his concurring desire for Cambodia to move from the Tier 2 Watchlist to Tier 2, noting the TIP situation in Cambodia has improved since its Tier 3 days through the MOI's willingness to work together on this issue with the USG and the NGO community. On the Chhay Hour II perpetrators' release by appellate court judges, the DPM said he discussed the incident with the Minister of Justice. The DPM was not forthcoming with details or outcomes of the RGC's internal discussions but assured the Ambassador he will "continue to do what needs to be done to reach the desired result."

UNHCR ACCESS TO MONTAGNARDS

¶3. (C) The Ambassador raised concerns over the sporadic

Montagnard crossings into Cambodia and the RGC delays in granting UNHCR requests to conduct joint missions to collect the refugees in northeastern Cambodia and bring them to Phnom Penh for interview. Under the current procedure, UNHCR is required to submit to the MFA an official request to interview groups fleeing Vietnam and that request is then forwarded to MOI for approval. Lately, the MOI has been tardier than usual in responding to UNHCR and organizing the joint missions. (Note: UNHCR tells us that the working level staff at the MOI are not the problem -- the delays come from more senior officials. UNHCR surmises that the delay serves to discourage Montagnard groups from entering Cambodia as they are forced to hide in the jungles of the Northeast where they have little food and are exposed to disease and possible repatriation to Vietnam. End Note.) The Ambassador explained the delays make Cambodia look bad internationally -- as if the RGC is not cooperating with UNHCR nor living up to Cambodia's responsibilities under international refugee conventions. He proposed a simplified procedure by which UNHCR notifies the MOI and MFA that it will be traveling to the border area to retrieve Montagnard groups, while giving the MOI enough time to inform local authorities of UNHCR plans. The MOI approval step is thereby removed from the process. The DPM accepted the proposal in principle for consideration but made no commitments; he stated his desire to have better cooperation with UNHCR despite problems between the RGC and UNHCR in previous years.

APPEAL FOR INVESTIGATION OF MISSING VIETNAMESE DISSIDENT

¶4. (SBU) On May 6, Vietnamese trade union leader, Le Tri Tue, went missing from his temporary place of residence in Phnom Penh. In April, Le Tri Tue fled Vietnam seeking asylum in Cambodia, where UNHCR designated him a person of concern.

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The Ambassador pressed the DPM to investigate the disappearance, noting the RGC has a commitment to honor UNHCR letters of concern. The DPM agreed to investigate the disappearance and, over the weekend, MOI officials were quoted in the local media acknowledging that they were aware of the case and looking into the matter.

¶5. (C) Comment. The DPM told us that he agreed in principle regarding the three issues put forth during the meeting but offered no commitments. We believe Sar Kheng is sincere in wanting Cambodia's overall record on TIP to improve. The MOI has been a worthwhile partner on TIP and refugee matters in the past but he may have little flexibility on these particular issues. On the Chhay Hour II matter, the Ministry of Interior has no disciplinary role vis-a-vis the judges who released the suspects - although the police could launch an investigation to bring possible criminal charges against the judges depending on what the Ministry of Justice determines took place. On the Montagnards, this is a sensitive issue for the RGC because of Vietnamese interest, and any change in current practice that might be perceived as more lenient to the Montagnards would likely require discussion with the GVN. Likewise, the Cambodian government's consciousness of GVN sensitivities is likely to impact any RGC reaction to the dissident's disappearance.

¶6. (C) Comment Continued. Sar Kheng has typically enjoyed a very good rapport with the Ambassador, even when the meetings cover contentious issues. The DPM has also often hosted the Ambassador for meetings at his residence, located across the street from the CMR. The May 17 meeting took place at the Ministry with numerous MOI notetakers and a strong air of formality. The DPM's demeanor was the most somber since the Ambassador's arrival, and the DPM did not appear to be fully engaged throughout the discussion. There have been rumors over the past two months of increasing friction within the CPP -- notably between Hun Sen and Sar Kheng, and it may not be coincidence that the DPM looked as

though he had a great deal on his mind. End Comment.
CAMPBELL